

CLINTON COUNTY BOARD
September 18, 2006

The September meeting of the Clinton County Board was called to order on Monday, September 18, 2006, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Heiligenstein, Hitpas, Holtgrave, Kloeckner, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. Absent - Foppe.

All visitors and guests introduced themselves. The Pledge of Allegiance was recited.

MOTION by Lampe second by Craig Taylor to approve the minutes of the previous meeting. **MOTION CARRIED.**

First Reading of the appointment of Gene Rennegarbe as Trustee for the Santa Fe Drainage & Levee District. **MOTION** by Craig Taylor second by Robbins to approve the appointment of Darren Santel as Trustee of the New Memphis Sanitary District. **MOTION CARRIED.**

Chairman Kloeckner gave a report on BPI Energy, Inc. He announced they will be starting the first test well in Clinton County within the next few weeks. It will be located in Wade Township Northwest of Beckemeyer.

A resolution was read by County Clerk LaCaze in recognition of Wendy Parks as receiptant of an individual achievement award from Mid-America Workforce Investment Board. Bill Gagen spoke on Ms. Parks and her achievements. She will also be recognized in Springfield. **MOTION** by Hitpas, second by Holtgrave. **MOTION CARRIED.**

County Clerk LaCaze reported he has received \$75,780.53 reimbursement for allowable costs for implementation of the Help America Vote Act of 2002. This is in addition to \$4,363.93 received earlier this year and \$192,732.64 that was received as part of the punch card buyout. All these funds were received because of the efforts of his office applying for grants that were made available. Another \$20,775.73 is pending approval by the State.

INSURANCE COMMITTEE - Raymond reported on monthly claims. **MOTION** by Raymond second by Sullivan to approve Ordinance 09-06-02 Family and Medical Leave Revised Policy for Clinton County. Roll Call: Yes - Beckmann, Fix, Heiligenstein, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. **MOTION CARRIED.**

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - **MOTION** by Robbins second by Beckmann to approve Ordinance 09-06-03 Approval Contract for Appraisal Services in Support of New Memphis Sanitary District for the sum not to exceed \$300.00. Roll Call. Yes - Beckmann, Fix, Heiligenstein, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. **MOTION CARRIED.**

SAFETY COMMITTEE - Pingsterhaus reported a sexual harassment class will be offered to all offices. There will be a tape available that all employees will be encouraged to view.

EDUCATION COMMITTEE - Heiligenstein reported on the September 5th committee meeting.

GIS COMMITTEE - Beckmann reported ten townships have been completed by Map Research. It is estimated that all townships will be completed by October.

RC&D COUNCIL - Lampe reported the committee recommends supporting the implementation of a Conservation Reserve Enhancement Program within the Kaskaskia River Watershed. A letter expressing the County's support was read by Clerk LaCaze. **MOTION** by Lampe second by Jack Taylor to approve support. **MOTION CARRIED.**

TOURISM COMMITTEE - Holtgave reported there has been several changes in leadership within the Southwestern Tourism Council. The current interim president will remain in place until January.

PERSONNEL/LABOR COMMITTEE - **MOTION** by Hitpas second by Robbins to approve ordinance 09-06-04 Approval of Collective Bargaining Agreement with Laborers' International Union of North America as Representative of Maintenance Employees at County Highway Department. Roll Call. Yes - Beckmann, Fix, Heiligenstein, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor, Jack Taylor. **MOTION CARRIED**

The following committees had no report. County Farm, Insurance Trust, 708 Mental Health Board/AAASWI, Solid Waste, 911, Veteran's Memorial, Liquor, Environmental Concerns.

ZONING/SUBDIVISION COMMITTEE -

MOTION by Craig Taylor second by Beckmann to approve the reviewed preliminary plat of Laux subdivision. **MOTION CARRIED.**

MOTION by Craig Taylor second by Beckmann to approve the final plat of Laux Subdivision. **MOTION CARRIED.**

MOTION by Murray second by Taylor to approve the preliminary plat of Rose Hill Subdivision **MOTION CARRIED.**

MOTION by Sullivan, second by Beckmann to approve final plat of Rose Hill Subdivision.

MOTION by Craig Taylor second by Beckmann to wave the first reading for R. Keck Subdivision. **MOTION CARRIED.**

MOTION by Raymond second by Sullivan to approve second and final reading for R. Keck Subdivision. **MOTION CARRIED.**

MOTION by Lampe second by Raymond to waive first reading for DMG Subdivision **MOTION CARRIED.**

MOTION by Lampe second by Beckmann to approve the second and final reading for DMG Subdivision. **MOTION CARRIED.**

LAW ENFORCEMENT/ESDA COMMITTEE - Sullivan reported the committee met and found all the bills to be in order.

ECONOMIC DEVELOPMENT/SCIGA/SWIIDA - Sullivan reported on a new Wal-Mart that is to be built in Clinton County. He suggested it could be an economic boom for the county. The remark was not well received by several board members.

ROAD & BRIDGE COMMITTEE - Dan Behrens, County Engineer, presented the County Motor Fuel Tax Audit for 2005. No action was required. He also reported he has contacted the Norfolk Southern Railroad in regard to improvements needed on railroad crossings on Route 161. They are aware of the problems and are working with the state to correct them.

Engineer Behrens also reported that Keeley and Sons has been awarded the contract for the Old U.S. Route 50 Bridge over Shoal Creek. Originally the County Board agreed to a seven day closure and utilizing County Highway 14 (St. Rose Road) and County Highway 13 (Stolletown Road) for a temporary detour route. At a later meeting the Board agreed to extend this detour period to 14 days. Keeley & Sons has requested this full closure be extended to six months. The City of Breese's safety concerns were discussed at length. **MOTION** by Sullivan seconded by Holtgrave to refer back to the highway committee and table it until next month. **MOTION CARRIED.**

Reports were given on the following construction problems: Crooked Creek Bridge on Hoffman Road; Flat Branch Bridge on Keyesport Road; and St. Rose Township Bridge on Fricker Road.

FINANCE/HEALTH SERVICES COMMITTEE - Jack Taylor reported the bills were in order and approved. **MOTION** by Jack Taylor second by Hitpas to approve the monthly report of the Health Department. **MOTION CARRIED.**

MOTION by Jack Taylor second by Robbins to approve monthly Budget and Financial Report of the Treasurer's Office. **MOTION CARRIED.**

Treasurer Mueller reported receiving an oil check in the amount of \$9,846.21. He also gave the 2006 Real-Estate update: 2nd installment due Sept. 20th, 2nd distribution Oct. 11th and certified letters to delinquents Oct. 19th. The 2006-2007 budget process had started.

MOTION by Jack Taylor second by Raymond to waive 68 parcels in the amount of \$3,827.08. **MOTION CARRIED.**

FACILITIES/HEALTH SERVICES/RLF COMMITTEE - Craig Taylor reported that Kehrer Bros. Roofing has started working on the roofing projects. He also reported Nettemeyer Engineering is working on changes for the Wiegmann Building. There will be a meeting on September 25th to review the changes. **MOTION** by Craig Taylor second by Beckmann to close the bids for

improvements on October 11. **MOTION CARRIED.**

GENERAL SERVICES/JUDICIARY COMMITTEE - New additions for the Revised Code of Ordinances book were distributed. .

MOTION by Craig Taylor second by Raymond to approve payment of the Accounts Payable Claims. **MOTION CARRIED.**

MOTION by Robbins second by Holtgrave to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk & Recorder

#09-06-01

RECOGNITION OF WENDY PARKS AS RECIPIENT OF AN INDIVIDUAL ACHIEVEMENT AWARD FROM MID-AMERICA WORKFORCE INVESTMENT BOARD

WHEREAS, the Mid-America Workforce Investment Board was established to promote workforce development in St. Clair, Clinton, Monroe, Randolph and Washington counties in southwestern Illinois;

WHEREAS, Wendy Parks has recently completed her degree in the Nursing Program at Kaskaskia College;

WHEREAS, completion of her nursing degree at Kaskaskia College required a level of discipline and dedication that can serve as an example for college student;

WHEREAS, completion of her nursing degree at Kaskaskia College has allowed Wendy Parks to obtain employment as a nurse at Memorial Hospital in Belleville, Illinois;

WHEREAS, Wendy Parks has been named recipient of an Individual Achievement Award by the Mid-America Workforce Investment Board;

BE IT RESOLVED that the Clinton County Board hereby commends Wendy Parks as recipient of an Individual Achievement Award from the Mid-America Workforce Investment Board;

BE IT FURTHER RESOLVED that the Clinton County Board hereby congratulates Wendy Parks on the completion of her nursing degree.

Approved this 18th day of September, 2006, by the Corporate Authority of the County of Clinton, Illinois.

S/ Ray Kloeckner

Clinton Board Chairman

Attest:

S/ Thomas LaCaze

Clinton County Clerk

ORDINANCE # 09-06-02

FAMILY AND MEDICAL LEAVE - REVISED POLICY

WHEREAS, the County of Clinton has a Family Medical Leave Policy and said policy needs to be revised;

WHEREFORE, BE IT RESOLVED that the County Board of Clinton County does hereby adopt the attached three page Family and Medical Leave Policy,

Roll call: Yes - Hitpas, Murray, Robbins, Heiligenstein, Pingsterhaus, Jack Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, Craig Taylor, Beckmann, and Lampe.

ADOPTED, ORDAINED AND APPROVED September 18, 2006, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois.

S/ Ray Kloeckner

County Board Chairman

Attest:

S/ Thomas LaCaze

Clinton County Clerk

CLINTON COUNTY

FAMILY AND MEDICAL LEAVE POLICY ("FMLA")

Clinton County complies with and provides to eligible employees up to twelve (12) weeks of unpaid leave in a rolling calendar year for designated family and medical reasons. This leave is granted for one or more of the following reasons:

- 1) The birth of a newborn child or the placement in the family of n adopted child or a child for foster care (entitlement during the first 12 months subsequent to date of birth, adoption, or placement)
- 2) To care for the employee's spouse, child, or parent who has been diagnosed with a serious health/medical condition (as defined by federal regulations)
- 3) Due to an employee's own diagnosed serious health condition, a condition that has rendered the employee unable to perform the functions of their position under normal working conditions (as defined by federal regulations)

To be eligible the employee must meet both of the following conditions:

- 1) Been an employee of Clinton County for a minimum of twelve months

- 2) Have worked at least 1,250 hours during the twelve month period immediately preceding the commencement of a requested leave

NOTIFICATION:

The standard advance notification to Clinton County for *foreseeable* leave is thirty days. If leave is necessitated by an emergency, notification to the County must be within 2 days.

CERTIFICATION:

If the leave is necessitated by the serious health condition of the employee or their spouse, child, or parent then medical certification is required prior to the commencement of the leave or as soon as is practical after the leave begins (maximum of 15 working days). The employee will be requested to recertify the condition approximately every thirty days.

BENEFITS:

The employee's health coverage/s will be maintained on the same basis as if they were not on leave, continuing to pay their contributory amount where applicable. 401 (K) match and pension contributions will be suspended during the leave and will continue at the same level upon return to the job.

USE OF PAID TIME OFF:

Employees who request Family and Medical Leave will be required to use earned Vacation, Personal and/or Sick Time as part of the leave. An employee will not earn any such benefits while on leave. Time will begin to be enacted to provide as consistent a workforce as possible upon completion of leaves. Leaves taken that qualify for FMLA status will be counted toward the twelve month benefit, *regardless* of the employee's request to do so.

MARRIED COUPLES WORKING FOR CLINTON COUNTY:

A husband and wife who work for Clinton County are permitted to take a combined total of twelve weeks during a rolling twelve month period under the following circumstances:

- 1) Birth of a child
- 2) Placement of an adopted or foster child
- 3) Care for a parent diagnosed with a serious health condition

INTERMITTENT LEAVE OR REDUCED WORK SCHEDULES

When leave is necessitated by the employee's or designated family member's, serious health condition it may be taken intermittently or on a reduced schedule at the employee's request and upon medical certification. (For example weekly dialysis treatments, or reduced work schedules while recovering from a heart attack or surgery)

REINSTATEMENT:

Per FMLA requirements the employee will be able to return to the same job, or a job with equivalent status, pay, benefits and other employment terms upon return from leave. A physician's "Release to Return to Work" must be presented on their first day back on the job, without which they will not be allowed to work.

CONCURRENT BENEFITS:

Leaves which qualify as FMLA may, and frequently do, run concurrently with Vacation, Personal, and/or Sick Time, Worker's Compensation, and Short Term Disability coverage. But, they are governed independently by the distinct policies.

MEDICAL/PERSONAL LEAVE

There may be instances when a leave is requested and either the employee or the circumstances do not qualify for FMLA leave, never the less the need is of an urgent nature. In that instance an employee is required to complete a "Request for Leave of Absence" form & submit it to their Department Head for approval.

The employee and their Department Head will be required to appear before the Clinton County Personnel Committee which has the final authority to approve or deny the request. Approvals or denials of leave will be made consistent with decisions granted other employees who have had similar requests and circumstances, and without discrimination.

The employee will be required to use any earned Vacation, Personal, and/or Sick Time as a part of their leave and no such time will be earned while they are on leave. Time Off will begin to be earned again upon their return to the job. The remainder of the leave will be unpaid by the County.

The employee's health coverage/s will be maintained on the same basis as if they were not on leave, continuing to pay their contributory amount where applicable. All other benefits, including IMRF pension, will be suspended until the employee returns to the job.

The employee must give their manager a physician's "Release to Return to Work" on the day they return to the job, without which they will not be allowed to work.

If all employees meet all required criteria, approval will be given.

ORDINANCE # 09-06-03
APPROVAL CONTRACT FOR APPRAISAL SERVICES IN SUPPORT OF
NEW MEMPHIS SANITARY DISTRICT

WHEREAS, County of Clinton is the current sponsor of an IL Department of Commerce and Economic Opportunity (DECO) CDAP Grant #05-24211 in support of the creation of the New Memphis Sanitary District and necessary infrastructure (hereinafter, the Project);

WHEREAS, the New Memphis Sanitary District must purchase a tract of land for the construction of a treatment facility in order to complete the Project;

WHEREAS, the New Memphis Sanitary District is in need of an appraisal of a certain tract of real estate in order to complete an option agreement for the purchase of said tract of real estate,

WHEREAS, Rakers Appraisal Services of Carlyle, Illinois is willing to complete said appraisal for a sum not to exceed \$300.00 for Clinton County and the New Memphis Sanitary District pursuant to the Agreement attached hereto to Exhibit A;

WHEREAS, the New Memphis Sanitary District currently has no regular revenue or assets to pay for the cost of said appraisal;

WHEREAS, the lack of said appraisal will place the New Memphis Sanitary District in jeopardy of not being able to complete an option agreement, and consequently the Project as well;

WHEREAS, the several citizens of New Memphis have already contributed in excess of \$5,000.00 toward various expenses in support of the Project; and

WHEREAS, the completion of the Project will be a substantial asset and benefit to the said unincorporated area known as New Memphis;

WHEREFORE BE IT RESOLVED that Clinton County Board does hereby authorize Raymond Kloeckner, County Board Chairman to enter into the agreement attached hereto as Exhibit A for completion of said Appraisal at a cost not to exceed \$300.00, and

WHEREFORE BE IT FURTHER RESOLVED that said Appraisal when completed shall be forwarded without cost the Board of the New Memphis Sanitary District for their use in support of CDAP Grant #05-24211, Voting yes - Hitpas, Murray, Robbins, Heiligenstein, Pingsterhaus, Jack Taylor, Raymond, Fix, Holtgrave, Sullivan, Craig Taylor, Beckmann and Lampe. Absent - Foppe.

ADOPTED, ORDAINED AND APPROVED September 18, 2006, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois.

S/ Ray Kloeckner
County Board Chairman

ATTEST:
S/ Thomas LaCaze
County Clerk

ORDINANCE # 09-06-04
APPROVAL OF COLLECTIVE BARGAINING AGREEMENT
WITH LABORER'S INTERNATIONAL UNION OF NORTH AMERICA
AS REPRESENTATIVE OF MAINTENANCE EMPLOYEES
AT COUNTY HIGHWAY DEPARTMENT

WHEREAS, a Certificate of Representative was issued on February 8, 2006, in the case of the County of Clinton (Highway Department)(hereinafter, County) and Laborers' International Union of North America (Midwest Region)(hereinafter, LIUNA), S-RC-06-120, recognizing said LIUNA as the representative of Maintenance Employees (Class M) at the County Highway Department;

WHEREAS, the Personnel Committee for Clinton County has negotiated the terms and conditions of a Collective Bargaining Agreement ("CBA" with the LIUNA representative for the Maintenance Employees at the County Highway Department;

WHEREAS, a copy of the proposed CBA is attached hereto as Exhibit A;

WHEREAS, said CBA has been reviewed by members of the Finance and Insurance Committees for Clinton County;

WHEREAS, the terms of the CBA are acceptable to Daniel L. Behrens, County Engineer;

WHEREAS, the Maintenance Employees of the County Highway Department voted unanimously in favor of

accepting said CBA by way of an advisory poll taken of the membership in August following the last negotiating session with the Personnel Committee;

WHEREAS, the duly authorized representatives for LIUNA have executed six (6) originals of said CBA;

WHEREAS, the Personnel Committee unanimously recommends the adoption of said CBA by the Clinton County Board;

WHEREFORE BE IT RESOLVED that the Clinton County Board does hereby approve the CBA attached hereto as Exhibit A;

FURTHER BE IT RESOLVED that the Clinton County Board does hereby authorize Board Chairperson Ray Kloeckner to execute said originals of the CBA on behalf of the County of Clinton.

Voting yes - Hitpas, Murray, Robbins, Heiligenstein, Pingsterhaus, Jack Taylor, Raymond, Fix, Holtgrave, Sullivan, Craig Taylor, Beckmann, and Lampe. Absent - Foppe.

ADOPTED, ORDAINED AND APPROVED September 18, 2006, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois.

S/ Ray Kloeckner
Board Chairman

Attest:
S/ Thomas LaCaze
County Clerk